

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN CIVIL LIBERTIES UNION;
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE; CENTRAL
INTELLIGENCE AGENCY,

Defendants.

07 Civ. 6097 (VM)

ECF CASE

STIPULATION AND ORDER

WHEREAS, on May 3, 2007, the Department of Defense (“DOD”) and the Central Intelligence Agency (“CIA”) each received a Freedom of Information Act (“FOIA”) request from the plaintiffs seeking certain records relating to the DoD’s and the CIA’s use of National Security Letters;

WHEREAS, on June 28, 2007, the plaintiffs filed a complaint initiating this lawsuit, which alleged that the DOD and the CIA had failed to timely process and produce documents in response to plaintiffs' FOIA requests and sought to require DOD and CIA to expedite processing of these requests and to grant a waiver or limitation of processing fees;

WHEREAS, on September 20, 2007, the parties stipulated to a schedule for processing the requests and an arrangement concerning processing fees;

WHEREAS, pursuant to the stipulation, the processing of plaintiffs' FOIA requests was completed and documents were released to plaintiffs by the CIA and DOD by December 31, 2007;

WHEREAS, in consideration of plaintiffs' agreement to consensually dismiss this action, on March 21, 2008, the DOD released to plaintiffs portions of documents it had previously withheld from disclosure (hereinafter "previously withheld documents"); and

WHEREAS the parties wish to resolve their disputes concerning the FOIA requests without further litigation;


NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the parties, as follows:

1. The parties agree to settle and compromise this action on the terms set forth below.
2. This action is hereby dismissed with prejudice.
3. The release of the records already provided, as well as the previously withheld documents, shall be in full settlement of plaintiffs' claims in this lawsuit.
4. This Stipulation and Order shall have no effect or bearing on any other FOIA request made by the plaintiffs or any other FOIA litigation filed by plaintiffs.
5. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

A.C.

Dated: New York, New York
March 25, 2008

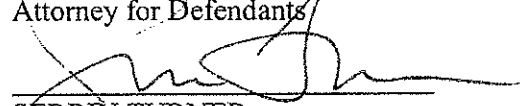
By:


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Dated: New York, New York
March 24, 2008

United States Attorney for the
Southern District of New York
Attorney for Defendants

By:


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SO ORDERED.

Dated: New York, New York
March __, 2008

THE HONORABLE VICTOR A. MARRERO
UNITED STATES DISTRICT JUDGE